

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 1:00cr00397-002</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE: JAMES S. GWIN</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>HERBERT SHAW,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter was heard on August 30, 2012, upon the request of the United States Pretrial and Probation Office for a finding that defendant had violated the conditions of his supervised release. The defendant was present and represented by Attorney Charles Fleming.

The original violation petition was referred to Magistrate Judge George J. Limbert who conducted appropriate proceedings and issued a Report and Recommendation on August 2, 2012 [Doc. 66]. No objections were filed by either plaintiff or defendant and the Court adopted the Report and Recommendation and found that the following terms of supervision had been violated:

- 1) new felony criminal conviction of Trafficking in Cuyahoga County  
Common Pleas Court Case No. CR-10-542239.

The Court, after hearing statements from counsel for the parties as well as defendant's supervising officer, continued the sentencing hearing until March 5, 2013, at 12:00 noon. Defendant shall remain on supervised release under the conditions currently imposed.

Additionally the Court imposed the condition that defendant obtain/maintain employment pending the rescheduled sentencing hearing and noted defendant would be permitted to leave his home to seek, obtain and carry out employment. Defendant shall remain subject to testing and the supervising officer shall inform the Court immediately of any positive test result.

**IT IS SO ORDERED.**

Dated: August 30, 2012

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE